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LETTER DATED 16 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF UKRAINE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the letter by the Minister for Foreign Affairs of Ukraine, H.E. Anatoly M. Zlenko, which contains a request to urgently convene a meeting of the Security Council in accordance with paragraph 1 of Article 35 of the United Nations Charter and Rule 3 of the Provisional Rules of Procedure of the Security Council, to consider the situation which has been created as a result of the adoption on 9 July 1993 of a Decree of the Supreme Soviet of the Russian Federation concerning the Ukrainian city of Sevastopol (see annex).

I would be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Victor H. BATIOUK
Ambassador
Permanent Representative

Annex

[Original: English/Russian]

Letter dated 14 July 1993 from the Minister for Foreign Affairs of Ukraine addressed to the President of the Security Council

In accordance with paragraph 1 of Article 35 of the United Nations Charter and Rule 3 of the Provisional Rules of Procedure of the Security Council I ask you to urgently convene a meeting of the Security Council to consider the situation which has been created as a result of adoption on 9 July 1993 of a Decree of the Supreme Soviet of the Russian Federation concerning the Ukrainian city of Sevastopol.

The Decree of the Russian Parliament alleges so-called "Russian federal status for the city of Sevastopol within the administrative and territorial borders of the city district as of December 1991", it entrusts the Council of Ministers - the Government of the Russian Federation - with a task to "work out a state programme of ensuring the status of the city of Sevastopol by giving appropriate instructions to ministries and agencies of Russia". For the Central Bank of Russia it prescribes "to provide financing of appropriate parts of the budget of the city of Sevastopol through its branches".

The Committee on Constitutional Legislation of the Supreme Soviet of the Russian Federation is entrusted with the "preparation of a Law of the Russian Federation about reflecting in the Constitution of the Russian Federation of the federal status of the city of Sevastopol".

Such an enactment of the Supreme Soviet of the Russian Federation can be described but as a flagrant disregard of universally recognized principles and norms of international law, in particular, paragraph 4 of Article 2 of the United Nations Charter. It constitutes overt encroachment on the territorial inviolability of Ukraine, an interference into its internal and external affairs and is incompatible with the aims and principles of the United Nations. This enactment is also a flagrant violation of the obligations, which result from Russia's membership in the United Nations, its participation in the Conference on Security and Cooperation in Europe, bilateral agreements between Ukraine and the Russian Federation, in particular the Treaty between Ukraine and the Russian Federation of 19 November 1990, registered with the United Nations Secretariat in conformity with the Charter of the Organization. In accordance with Article 6 of this Treaty "The High Contracting Parties recognize and honour territorial integrity" of Ukraine and Russia.

Implementation by the Russian authorities of the Russian Federation Supreme Soviet's decision would have led to adequate actions on the part of Ukraine in order to defend its sovereignty and territorial integrity. The development of the present situation could threaten the maintenance of international peace and security.

Ukraine considers the said decision by the Supreme Soviet of the Russian Federation as having no lawful grounds and no legal consequences for Ukraine.

The question of the status of the city of Sevastopol is in the exclusive competence of Ukraine. Since 1954, after the Crimean region had been transferred from Russia to Ukraine by organs then so authorized, and in accordance with the Constitution of Ukraine of 1978, the Constitution of the RSFSR of 1978 and the Constitution of the USSR of 1977, the city of Sevastopol is an integral part of Ukraine, as a city of republican subordination, that is, one of the administrative and territorial parts of Ukraine.

Having proclaimed its wish to live in peace, harmony and mutual respect with all states of the world, in particular with its neighbours, Ukraine firmly rejects any territorial claims and appeals to the Security Council of the United Nations to use all its authority to have this illegal decision cancelled by the Parliament of the Russian Federation, warn it against taking further decisions which could jeopardize the international peace and security in the world and give qualification to the decision of the Supreme Soviet of the Russian Federation from the point of view of its conformity with the purposes and principles of the United Nations Charter, purposes of Helsinki Final Act, Charter of Paris for a New Europe and other fundamental principles of international law.

(Signed) Anatoly ZLENKO
Minister for Foreign Affairs
of Ukraine